

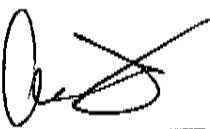
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: JP MORGAN CHASE & CO. )  
SHAREHOLDER DERIVATIVE )  
LITIGATION )  
\_\_\_\_\_  
This document relates to: )  
ALL ACTIONS )  
\_\_\_\_\_  
**DECLARATION OF ALFRED G. YATES, JR.**

I, Alfred G. Yates, Jr., declare as follows:

1. I am over the age of 18 years. I have personal knowledge of the facts contained in this declaration.
2. I am an attorney who has had both an attorney-client relationship and friendship with the representative plaintiff in this action, Robert L. Garber.
3. I have not, nor will I in the future, receive payment or compensation of any kind for participation in this litigation.
4. I do not have an agreement with anyone to be compensated for any participation in this litigation.
5. I have conferred with Deborah Clark-Weintraub, an attorney with the law firm of Whatley Drake & Kallas, LLC, who represents Mr. Garber in this action.
6. I informed Ms. Clark-Weintraub that I have not received, nor will I receive in the future, any compensation for participation in this litigation.
7. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Signed this 21<sup>st</sup> day of August 21, 2008



Alfred G. Yates, Jr.

**CERTIFICATE OF SERVICE**

I, Deborah Clark-Weintraub, hereby certify that on August 22, 2008, I caused a true and correct copy of the foregoing Declaration of Alfred G. Yates, Jr. to be served upon the following counsel via the Court's CM/ECF system:

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/s/ Deborah Clark-Weintraub

Deborah Clark-Weintraub